



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**Crl.O.P. (MD) No. 5792 of 2019

A. Rajagopal

: Petitioner

Vs.

1. The Inspector of Police,
Lalgudi Police Station,
Trichy District.

2. The Branch Manager,
Equitas Small Finance Bank Ltd.,
No. C70, 7th Cross,
Sasthri Road, Thillai Nagar,
Trichy District.

3. Bala,
Collection Manager,
Equitas Small Finance Bank Ltd.,
No. C70, 7th Cross,
Sasthri Road, Thillai Nagar,
Trichy District.

:

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the 1st respondent to provide adequate police protection to the life and limb of the petitioner and his family members, based on the petitioner's representation dated 03.04.2019.

For Petitioner : Mr. S. Gopalamanikandan

For R-1 : Mr. V. Neelakandan

Additional Public Prosecutor

ORDER

The petitioner faces threat to his life, limb and liberty at the hands of the first respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submitted that the petitioner has obtained a vehicle loan from the third respondent, that due to his indisposition, he could not pay EMI for three months and that the third respondent is threatening with rowdy. He added that the petitioner is able to settle the amount in about four months time and that the petitioner himself has conceded

that EMI dues to the third respondent is pending.

4. The learned Additional Public Prosecutor submitted that a complaint has been preferred and it is pending in C.S.R.No.179 of 2019.

5. However, in all such circumstances, remedy open to the petitioner is one that is supported by the contract and law. It is not permissible for the third respondent to resort extra legal means to settle the dispute.

6. Inasmuch as the complaint preferred by the petitioner is pending, the first respondent is directed to cause such necessary enquiry on the complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, limb and liberty of the petitioner. It is made clear that this Court does not order granting of police protection 24 x 7 and the first respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

7. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Lalgudi Police Station, Trichy District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.S.GOPALAMANIKANDAN, Advocate, SR.No.61740

Cr1.O.P. (MD)No.5792 of 2019

23.04.2019

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